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MAR 12 2007

HAYNES AND BOONE, LLP
901 MAIN STREET, SUITE 3100
DALLAS, TX 75202

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OFFICE OF PETITIONS

DECISION ON PETITION
TO WITHDRAW
FROM RECORD

In re Application of
Gordon Tibbitts et al.
Application No. 10/825,338
Filed: April 15, 2004
Attorney Docket No. 37163.18

This is a decision on the Request to Withdraw as attorney or agent of record under 37 C.F.R. § 1.36(b), filed January 31, 2007.

The request is **NOT APPROVED** as moot.

A review of the file record indicates that the power of attorney to the firm of Haynes and Boone, LLP, has been revoked by the assignee, Particle Drilling, Inc. of the patent application on March 14, 2007. Accordingly, the request to withdraw under 37 C.F.R. § 1.36(b) is moot.

All future communications from the Office will continue to be directed to the below-listed address until otherwise notified by applicant.

It is noted that the revocation of power of attorney submitted on March 14, 2007 was improperly accepted by the Office on March 20, 2007. Compliance with 37 CFR 3.73(b) has not been satisfied in that a statement was not enclosed as indicated by the requestor on the revocation of power of attorney. Therefore, in order for the power of attorney to be acceptable, compliance with 37 C.F.R. 3.73(b) must be satisfied. A form for complying with the provisions of 37 C.F.R. 3.73(b) may be found on the USPTO.gov website (Form No. PTO/SB/96).

Telephone inquiries concerning this decision should be directed to Kimberly Inabinet at 571-272-4618.

Frances Hicks
Frances Hicks
Petitions Examiner
Office of Petitions.

cc: King & Spalding, LLP
1100 Louisiana Street
Ste. 4000
Houston, TX 77002-5213

cc: Particle Drilling, Inc.
808 Travis, Suite 850
Houston, TX 77002